14.	Madhya Pradesh	1
15.	Madras	3
16.	Orissa	–
17.	Patna	1
18.	Punjab and Haryana	1
19.	Rajasthan	1
20.	Sikkim	–
21.	Uttaranchal	–
	TOTAL	19

Reason for back log of cases in Courts

3750. SHRI NANA DESHMUKH : Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that huge backlog of cases in various courts is partly because of large number of vacancies of Judges;

(b) if so, the steps being taken to fill them and by when these are likely to be filled up; and

(c) whether Government would evolve a permanent machinery to ensure that the vacancies of High Court Judges are not held up for want of recommendations from the courts concerned ?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY) : (a) Yes, Sir. Pendency of cases in different courts is arising from various complex factors. These, *inter alia*, include large number of vacancies of judges, inadequate judge strength, increased institution of cases on account of awareness of the rights on the part of the citizens, enactment of numerous laws, radical change in the pattern of litigation, frequent adjournment of cases, rise in population, lawyers' strike etc.

(b) There is no vacancy in the Supreme Court. The filling up of the vacancies in the High Courts is a continuous consultative process among the Constitutional authorities. While every effort is made to fill up the existing vacancies expeditiously, vacancies do keep on arising on account of retirement, resignation or elevation of Judges.

Appointment of judicial officers in Subordinate Judiciary are made by the State Governments in consultation with their respective High Courts under articles 233 and 234 of the Constitution.

State Governments and the High Courts have been addressed periodically on the need to fill up all vacant posts, and create more posts where necessary. Hence, no time frame can be fixed for filling up the vacancies.

(c) In accordance with the procedure for appointment of Judges of High Courts, the Chief Justice of a High Court is expected to initiate recommendation for filling up vacancies in consultation with the collegium of Judges. On the part of the Government of India, the Chief Justices of the High Courts are periodically requested to initiate proposals for appointment of Judges in respective High Courts.

One of the items on the National Agenda for Governance of the National Democratic Alliance is to constitute a National Judicial Commission which will, *inter alia*, recommend judicial appointments in the High Courts and the Supreme Court of India. The proposal, however, would require an amendment to the Constitution.

Acquisition of second hand vessels without proper assessment

3751. SHRI KRISHNA KUMAR BIRLA : Will the Minister of SHIPPING be pleased to state :

(a) whether the Shipping Corporation of India had acquired two second hand vessels during 1994 without proper assessment of their condition which resulted in a loss of Rs. 40 crore ;

(b) if so, the details thereof ;

(c) whether any responsibility has been fixed for the purchase of these vessels by SCI; and

(d) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING (SHRI HUKUMDEO NARAYAN YADAV) : (a) and (b) No, Sir. The Shipping Corporation of India had acquired two second hand vessels during 1994 based on technical assessment of the vessels before purchase.

(c) No, Sir.

(d) Does not arise.